

**REMARKS**

In the non-final Office Action dated December 04, 2007, it is noted that claims 1 – 24 are pending; that claim 15 is found to contain allowable subject matter; that claims 1 – 3, 12 – 14 and 18 – 23 stand rejected under 35 U.S.C. §102; and that claims 4 – 11, 16, 17 and 24 stand rejected under 35 U.S.C. §103.

In the present amendment, claims 4, 13 and 22 – 24 have been cancelled without prejudice, and claims 1 – 3, 5, 6, 8 – 12, 14 – 18 and 20 have been amended to more clearly and distinctly claim the subject matter that applicants regard as their invention. No new matter has been added.

**Rejections under 35 U.S.C. §102**

Claims 1 – 3, 12 – 14 and 18 – 23 stand rejected under 35 U.S.C. §102(a) as being anticipated by Celik et al. (NPL document titled “ Hierarchical Watermarking for Secure Image Authentication with Localization”) (hereinafter “Celik”).

Applicant submits that for at least the following reason, the amended claim 1 is not anticipated by Celik.

In particular, Applicant’s amended claim 1 recites:

*“said variable number of signature bits increases with the complexity of said audio-visual signal.”*

In the Office Action, it is conceded by the Office that Celik does not teach the method that *“said variable number of signature bits increases with the complexity of said audio-visual signal.”* Therefore, claim 1 is not anticipated by Celik because Celik does not teach each and every feature of the claimed invention.

Applicant’s independent claim 20 includes several similar distinguishing features as discussed above with respect to claim 1. Applicants essentially repeat the above arguments for claim 1 and apply them to the apparatus of claim 20 pointing out why claim 20 is not anticipated by Celik.

Withdrawal of the rejections of claims 1 and 20 under U.S.C. §102(a) is respectfully requested. Claims 2, 3, 12, 14, 18, 19 and 21 are also patentably distinct from the teaching of Celik as they depend from claims 1 and 20, with each claim including further distinguishing features. Withdrawal of the rejections of claims 2, 3, 12, 14, 18, 19 and 21 under 35 U.S.C. §102(a) is respectfully requested.

### **Rejections under 35 U.S.C. §103**

In the Office Action, it is stated that claim 4 is rejected under 35 U.S.C. §103(a) as being unpatentable over Celik in view of Krishnamachari et al. (hereinafter “Krishnamachari”). Applicant notes that the amended claim 1 now contains the features in the cancelled claim 4. Applicant submits that for at least the following reasons, amended claim 1 is patentable over Celik and Krishnamachari, alone or in combination.

In the Office Action, it is alleged that Krishnamachari, Fig. 2B, teaches that “*said variable number of signature bits increases with the complexity of said audio-visual signal*” as claimed. Applicant respectfully disagrees.

In Krishnamachari, Fig. 2A represents the partition of an image into four blocks at scale zero, and Fig. 2B shows each of the blocks of Fig. 2A broken down into four sub-blocks at scale one (Krishnamachari, column 2, lines 38 – 41). However, similar to the teaching in Celik, the teaching in Krishnamachari only describes a hierarchical partitioning of an image at successive levels, and the additional signature bits from the calculation of image characteristics of the blocks at each successive level (column 3, line 59 – column 4, line 12). Applicant submits that Krishnamachari does not disclose any relationship between the number of signature bits and the complexity of the audio-visual signal. The partitioning described in Krishnamachari, Figs. 2A and 2B is described in a generic way without regard to the complexity of the image. Therefore, Krishnamachari does not teach or suggest that “*said variable number of signature bits increases with the complexity of said audio-visual signal*” as claimed.

For at least the foregoing reasons, Applicant submits that claim 1 is patentable over Celik and Krishnamachari, alone or in combination. A similar argument is also applied to claim 20.

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Claims 5 – 11, 16 and 17 depend from claim 1, and each is rejected by Celik in view of at least a further reference.

For example, claims 5 – 7 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Celik in view of Krishnamachari.

Claims 8 – 9 and 16 – 17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Celik in view of Krishnamachari further in view of Inoue et al. (US Patent No.: 6,477,276).

Claims 10 – 11 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Celik in view of Lee et al. (Pub No.: 2003/0172275).

Applicant submits that the cited references, alone or in combination, cannot bridge the feature gap between Celik and claim 1 as discussed above. Therefore, claims 5 – 11, 16 and 17 are also patentable as they depend from and inherit all the limitations of claim 1, with each claim including further distinguishing features. Withdrawal of the rejections of claims 5 – 11, 16 and 17 under 35 U.S.C. §103(a) is respectfully requested.

Claims 2, 3, 12, 14, 18, 19 and 21 are also believed to be patentable over Celik and all the other cited references, alone or in combination, as they depend from claims 1 and 20, with each claim including further distinguishing features.

### **Claim Objections**

Claim 15 is objected to but would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2<sup>nd</sup> paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Applicant respectfully declines the invitation to rewrite claim 15 in independent form, because, in the above section, Applicant has presented reasons and arguments to demonstrate that claim 1 is patentably distinct from Celik and therefore can serve as an allowable base claim from which this claim depend. Withdrawal of the objection to claim 15 is respectfully requested.

**Conclusion**

In view of the foregoing, it is respectfully submitted that all the claims pending in this patent application are in condition for allowance. Reconsideration and allowance of all the claims are respectfully solicited.

If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner contact the Applicants' attorney at (914) 333-9602, so that a mutually convenient date and time for a telephonic interview may be scheduled for resolving such issues as expeditiously as possible.

In the event there are any errors with respect to the fees for this response or any other papers related to this response, the Director is hereby given permission to charge any shortages and credit any overcharges of any required fees to Deposit Account No. 14-1270.

Respectfully submitted,

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